IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

WRIT PETITION NO : 13094 of 2005

Between:

Professor (Dr) H.N. Suresh, S/o Sri H.Nanjappa, Professor,
Faculty of Electrical & Mechanical Engineering R/o HQ MC EME, Secunderabad. (AP)- 15.

..... PETITIONER

AND

1 The Union of India, through The Secretary, Ministry of Defence,
New Delhi - 11.
2 The Commandant, HQ MC EME, Secunderabad (AP).
3 IC-25826Y, Brigadier Ravi Khetarpal, VSM,
Dean FIET, MC EME Sec-bad.
4 IC-40742H Col Vijay Rawat, Commandant, Cadet Training Wing,
Secunderabad (AP).
5 IC-41732L Col NK Ghai, Faculty of Elect & Mech Engg,
HQ MC EME, Sec-bad (AP).
6 Colonel N K Dutta, Colonel Administration,
HQ MC EME, Sec-bad (AP).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a direction, orders or a Writ, more appropriately one in the nature of a Writ of Mandamus directing/declaring the action of the respondents herein " Declare the proceedings No. 21203/HNS/Adjt dated 3-6-2005, informing the petitioner herein about constitution of a Preliminary Enquiry of 3 (Three) Army Officers far inferior/junior in rank and status to the petitioner herein to investigate into certain allegation against the petitioner herein and also directing him to appear before the participate in such illegally constituted Preliminary Enquiry on 6-6-2005 and subsequent days as being without jurisdiction, authority, contrary to statutory

provisions and therefore ultra vires Article 21 of the Constitution of India and also ULTRA VIRES.

Counsel for the Petitioner: MR.VISHAL SAXENA

Counsel for the Respondents: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court made the following:

ORAL ORDER:

Mr.Vishal Saxena, learned counsel appearing for the petitioner submits that he may be permitted to withdraw the Writ Petition. Permission granted. Writ Petition is dismissed as withdrawn. No costs.

22.06.2005

SSR

To

1 The Secretary, Ministry of Defence, Union of India,
New Delhi - 11.
2 The Commandant, HQ MC EME, Secunderabad (AP).
3 Brigadier Ravi Khetarpal, IC-25826Y, VSM,
Dean FIET, MC EME Sec-bad.
4 The Commandant, IC-40742H , Cadet Training Wing,
Secunderabad (AP).
5 Col NK Ghai, IC-41732L Faculty of Elect & Mech Engg,
HQ MC EME, Sec-bad (AP).
6 Colonel N K Dutta, Colonel Administration,
HQ MC EME, Sec-bad (AP).

7 2 CCs to Assistant Solicitor General, High Court of A.P. (OUT)

8 2 CD copies